

COCHITUATE RAIL TRAIL ADVISORY COMMITTEE
MINUTES OF MEETING
August 9, 2016
School Committee Meeting Room, Town Hall

Name	Affiliation	Present	Absent
David Camacho	Member at Large (vice chair)		X
Barbara Coco	Member at Large	X	
Dick Cugini	Recreation and Parks Commission		X
Jamie Errickson	Director of Community and Economic Development	X	
Jan Henderson	Member at Large (clerk)	X	
Peter Henry	Member at Large	X	
Eric Jones	Member at Large		X
Josh Ostroff	Board of Selectmen (chair)	X	
William Schoenig	Member at Large	X	

Also present: Bill McGrath with BETA Group, Frank Sanchez with Friends of Navy Yard Field, two members of the public, with one an employee of MathWorks and the other a graduate planning student recently located to Natick.

The meeting was called to order at 6:35 P.M.

1. Introductions

Participants introduced themselves.

2. Public Comment and Questions

There were five members of the public, including two children. When asked if they had questions one person explained that he works at MathWorks and that the rail trail has become relevant to his daily commute. Frank Sanchez wanted to know about the trail head parking and how the trail might impact future upgrades to the Navy Field.

In reply, Mr. Ostroff explained that the projects (CRT and Navy Yard Field) will be designed in concert with each other. Engineering for the field will start soon. There will be more public parking next to the Eversource substation, and the trail design will take into account people crossing back and forth to the field in this location. We hope to have a public hearing in October or November to discuss the 25% design plans and to get people's feedback.

3. Project Updates

- A. Environmental** – On July 11th and 25th the Selectmen held a hearing where StanTec presented its Phase 1 site assessment. Their findings can be found on the NatickMA.gov/crt web page. Given that this was a rail line they were not surprised to find lead, arsenic, and some PCBs. A soil maintenance plan will be provided. Soils that will be capped with compacted fill and 4" of asphalt to limit human exposure. The study cost \$30K. The Finance

Committee raised concerns about potential exposure and liability. The known risks can be mitigated, as with other trails on abandoned railroad corridors. These questions may come up again in future public meetings. There are off-railbed places that required further testing, like the area between the trail and Navy Field where we anticipate a lot of activity.

- B. Metes and Bounds Survey** – This survey was required by CSX. BETA Group did this with a subcontractor. This will also be put on the website. The Saxonville line in Natick is 21.063 acres and the Wonderbread Spur is 1.73 acres. The survey identified various areas of encroachment where the Town will need to work with abutters once the land is acquired.

- C. Legal** – The Finance Committee had asked if there were any outstanding claims against CSX? This has been researched by Town Counsel and the short answer is no. Does the Town have the authority to obtain the Wonderbread Spur by Eminent Domain? Yes, and Town Meeting has authorized this. Why can't we take the rest the same way? This area falls under the federal railbanking laws, where there is a requirement that in case of national emergency the rail lines can revert back to being a railroad. Town Counsel is looking to see if there was anything in the original documents, or other legal authority to resolve concerns about any property reverting back to a prior owner. A question came up about change in use. Town Meeting has said the corridor could be used for a trail. We are planning to use federal and state funds that are specific to trails, and the Town Meeting vote and the deed will specify use as a trail.

- D. Acquisition, including funding** – This is our biggest issue right now. Given that MassDOT is maintaining that they won't help with land acquisition for the CRT, and notwithstanding that they have done so with another community recently, the Town is working with State Senator Spilka's office and MassDOT to repurpose federal earmarks that were not fully spent. We are told that unused funds can be transferred to another project within 50 miles of the first project. A request has been made of MassDOT for \$3m for acquisition of the rail trail. If the answer is yes, then U.S. Representative Clark's office can make a formal request. MassDOT has not said "no" yet. We are waiting on the word from the Secretary's office. Knowing that the Town has already agreed to spend \$2.5m has helped; they know the Town is serious.

Regardless of this outcome, Town Meeting will consider acquisition this fall, with the possibility that we may to fully fund the purchase if the project is to proceed. Right now, there is not confidence that private fundraising efforts will be able to come through with \$1m; they have been held back because in the absence of state funding, they see a need for \$4m not \$1m. Framingham is interested in collaborating on the bridge over Route 30. We will work together on naming rights and agree on what to do with the proceeds. Framingham also needs to buy land from CSX for the Bruce Freeman Rail Trail that goes to Lowell.

- E. TIP Status** – The Massachusetts Planning Organization (MPO) had proposed to move this project out to FFY 2020. The Selectmen, State legislators and many others wrote letters and spoke on behalf of the project returning to FFY 2018. They have now move it back up to 2018 for construction funding.
- F. Easements** – We will hold on negotiating easements until the 25% design is approved and the Town controls the property.
- G. Design** – B. McGrath said that the revised 25% plans, with the trail temporarily terminating at Willow Street, were submitted at the end of April. The plans were reviewed by District 3 and the Utility meeting was held. They needed additional information and the survey, which was provided by BETA. The utilities have preliminarily agreed to put wires underground at Route 30 (overhead where parallel to the bridge). Some poles may need to move during construction. Most of the wires would be located over Route 9, but underneath the bridge. Only a couple would go over the bridge. We have received Right-of-Way comments and are approved to go forward with the public hearing. We still need approval from District 3 and need Environmental sign-off. They have 120 days for reviews, which we should get by the end of August. We have received formal approval of the bridge sketch plans.

We may have one wrinkle which involves TJX plans to put a parking structure on their parking lot and a conference center on the top level. They may be looking to adjust travel lanes near their entry, which is near the bridge. They have the bridge plans and have been encouraged to collaborate with the Town, MassDOT/District 3, and BETA. We should know in a couple of weeks how their development plans related to the bridge. If they want to change our plans, they will have to pay for the costs; this may also push back the date of the design public hearing.

A Planning Board member raised the question of lowering the roadway (which had been raised for the rail line in the past) in order to lower the height of the bridge and possibly save on costs. BETA evaluated this and said the most the bridge would come down would be one foot and that MassDOT expressed interest in raising the bridge from 16' to 17' because it is a pedestrian bridge. If we were able to lower it by a foot, they would want us to use that foot for additional clearance rather than shorten the length of the bridge.

We need approval to proceed to a Design Public Hearing from our MassDOT Project Manager, and then we can post the 25% public hearing.

- 4. Design Public Hearing Date and Location** – We need final sign-offs before the public hearing can be scheduled. J. Ostroff recommended the meeting be held on Thursday, October 13th, before Town

Meeting on Tuesday, October 18th. All off this should take place before the November 1st P&S commitment, if possible.

5. Town Meeting Warrant Articles

A. Design & Development – MathWorks has committed \$50K for design as part of a 2014 decision for their Lakeside campus. We will still need \$40K for construction oversight. The Selectmen may consider holding a special Town Meeting for design funding and ROW acquisition. If TM approves, the Town must wait seven days after the close of Town Meeting for any challenge, and then the funds are available. As for private fundraising, even if the Town funds the acquisition, the Friends group can still move forward with private fundraising, and then give those funds to the Town to replace acquisition funds through an agreement with the Friends and the Town.

B. Acquisition of Saxonville Branch – We should ask for approval for acquisition of the Saxonville branch at Town Meeting.

One additional note on funding. This past week the Governor signed an Economic Development Bill which, among many other things, amended the 2014 Transportation Bond Bill (which included \$3m for the CRT) so this funding is explicitly authorized for ‘acquisition or construction’. It originally said just construction. So if the repurposing of the federal earmark funding does not come through, this may be a Plan B. There are a lot of people trying to help us.

6. Friends of Natick Trails update – We believe they are in a holding pattern based on the State not responding. W. Schoening will contact them to let them know that as a 501C3 they can have Quick Books through the Memorial PTO and Tech Soup.

7. Framingham Update - J. Ostroff is planning to help facilitate a meeting of all the Towns that are trying to purchase land from CSX and MassDOT, to impress upon the state that it is not the best outcome for each Town to deal with CSX alone. These efforts could be part of the upcoming statewide bike plan.

8. Meeting minutes May 25, 2016 - W. Shoening made a motion to approve, J. Henderson seconded and the vote was passed, with four votes and two abstentions, to approve the May 25th minutes.

9. Natick Days, September 10, 2016 – J. Ostroff, J. Henderson, B. Coco and possibly W. Shoening will volunteer to staff a booth. It would be helpful to have 5-6 people this time to answer questions and drum up interest, prior to the public hearing and Town Meeting. BETA will update the aerial map if Natick DPW has updated their aerials. They can also shade below Willow Street to show future phases. J. Ostroff will update the newsletter and send it to the group for comments.

10. **New business** – The **MBTA** is going to proceed with redesign of the Natick Center station. They plan to release the Notice to Proceed for redesign in September. AECOM, their on-call design and engineering firm, will be doing the work. MassDOT approved \$3.5m for design as part of their 5-year Capital Investment Plan. They are likely to fund construction in a future revision of this CIP, once there is a construction cost estimate through the design.

Holliston recently purchased land from CSX for the Upper Charles Trail to include the seven arch bridge. They used state funding for the acquisition. They used the same appraisal method as Natick, however much of that portion of their trail is surrounded by wetlands and is near a public school. They paid about \$800K. Harvard, on the other hand, using the same methods paid \$95m for similar acreage in Alston. The context and location of the land has a big impact on the price. The Natick trail, at \$6.345 million is in the middle. We will know in a couple of weeks the results of the confirmatory appraisal that is required by NEPA.

The Town of Natick is willing to sponsor Committee members to go to the Moving Together Conference on September 29th at the Park Plaza Hotel. Please let J. Ostroff know if you want to go.

E. Jones sent out comments on the website. We should put this on the next agenda. B. Coco suggested that for people less familiar with the project it would be helpful to have the cost and funding sources in one place (maybe a pie chart), as well as a brief history of the project (major milestones) and timelines going forward. Other agreed. J. Ostroff will send her the most recent Town Meeting presentation to start.

11. **Future meeting schedule** – J. Errikson, J. Ostroff and the Selectmen will better define timelines as the Town Meeting process moves forward. We should meet at the end of August/beginning of September to discuss design status, the public hearing, funding and acquisition. Some updates may be sent via email.

On a motion by B. Coco, seconded W. Schoeing, the committee voted unanimously to adjourn the meeting at 8:05 PM.

Respectfully submitted by J. Henderson, Clerk